



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Ramanathan Srinivasan, et al

SLURRY FOR CHEMICAL MECHANICAL POLISHING SILICON DIOXIDE

Serial No. US 09/526,286

Filed 15 March 2000

Commissioner for Patents Washington, D.C. 20231

Sir:

Group Art Unit: 1763

Examiner: Goudreau, George A.

I hereby certify that this correspondence is being deposited today with the United States Postal Service as first class mail in an envelope addressed to ommissioner for Patents, Washington, D.C. 20231.

AMENDMENT/RESPONSE

The following is a response to the Official Action mailed on 2001.

\*\*REMARKS\*\*

\*\* December 21, 2001.

Claims 1-23 are in this application. Claims 11-23 are withdraw consideration. Claims 1-9 stand rejected and claim 10 is objected to.

The rejection states that claims 1-10 and 11-23 are drawn to differently distinct inventions. Applicants select claims 1-10 for reconsideration with traverse.

The rejection states that claims 1-5 and 9 are rejected as being anticipated by Kido et. al. In response, Applicants have prepared a declaration under 37 CFR 1.131 for eliminating Kido et. al. as a prior art reference. It is pointed out to the Examiner's attention that it is not necessary to swear behind the foreign filing date of Kido et. al., see Ex parte Vivani, 72 U.S.P.Q. 448. This declaration is enclosed herewith.

In view of the above amendment/remarks, it is respectfully submitted that claims 1 and 9 are patentable as now presented herein; therefore, favorable reconsideration and an early issuance of a Notice of Allowance are respectfully requested. Claims 2-8 depend either directly or indirectly from claim 1 and are

patentable for the reasons stated hereinabove in support of claim 1. Claim 10 depends from claim 9 and is patentable for the reasons in support of claim 9.

Respectfully submitted,

Attorney for Applicants Registration No. 36,390

Peyton C. Watkins/lam Rochester, NY 14650

Telephone: (585) 477-8282 Facsimile: (585) 477-4646